

REFERENCE TITLE: schools; vision screening programs

State of Arizona  
House of Representatives  
Forty-eighth Legislature  
Second Regular Session  
2008

## **HB 2709**

Introduced by  
Representatives Campbell CL, Miranda B, Senator Landrum Taylor:  
Representative Campbell CH

### **AN ACT**

CHANGING THE DESIGNATION OF TITLE 36, CHAPTER 7.2, ARIZONA REVISED STATUTES, TO "CHILD HEARING AND VISION PROGRAMS"; CHANGING THE DESIGNATION OF TITLE 36, CHAPTER 7.2, ARTICLE 1, ARIZONA REVISED STATUTES, TO "PROGRAM OF HEARING AND VISION EVALUATION SERVICES"; AMENDING SECTIONS 36-899, 36-899.01, 36-899.02, 36-899.03 AND 36-899.04, ARIZONA REVISED STATUTES; RELATING TO CHILD HEARING AND VISION PROGRAMS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2       Section 1. Heading change

3       The chapter heading of title 36, chapter 7.2, Arizona Revised Statutes,  
4 is changed from "CHILD HEARING PROGRAMS" to "CHILD HEARING AND VISION  
5 PROGRAMS".

6       Sec. 2. Heading change

7       The article heading of title 36, chapter 7.2, article 1, Arizona  
8 Revised Statutes, is changed from "PROGRAM OF HEARING EVALUATION SERVICES" to  
9 "PROGRAM OF HEARING AND VISION EVALUATION SERVICES".

10      Sec. 3. Section 36-899, Arizona Revised Statutes, is amended to read:

11       36-899. Definitions

12       In this chapter, unless the context otherwise requires:

13       1. "Department" means the department of health services.

14       2. "Director" means the director of the department of health services.

15       3. "Hearing evaluation services" means services ~~which THAT~~ include the  
16 identification, testing, evaluation and initiation of follow-up services as  
17 ~~defined in the PRESCRIBED BY~~ rules ~~and regulations of~~ ADOPTED BY the  
18 department, ~~as provided by~~ PURSUANT TO section 36-899.03.

19       4. "Hearing screening evaluation" means the evaluation of the ability  
20 to hear certain frequencies at a consistent loudness.

21       5. "Private education program" means all programs of private education  
22 offering courses of study for grades, kindergarten through the twelfth grade  
23 of high school.

24       6. "Public education program" means all kindergarten, primary and  
25 secondary programs of education within the public school system, including  
26 but not beyond the twelfth grade of common or high school.

27       7. "VISION EVALUATION SERVICES" MEANS SERVICES THAT INCLUDE THE  
28 IDENTIFICATION, TESTING, EVALUATION AND INITIATION OF FOLLOW-UP SERVICES AS  
29 PRESCRIBED BY RULES ADOPTED BY THE DEPARTMENT PURSUANT TO SECTION 36-899.03.

30       8. "VISION SCREENING EVALUATION" MEANS THE EVALUATION OF THE ABILITY  
31 TO SEE CLEARLY WITHOUT CORRECTIVE LENSES OR SURGERY.

32       Sec. 4. Section 36-899.01, Arizona Revised Statutes, is amended to  
33 read:

34       36-899.01. Program for all school children; administration

35       A. A program of hearing ~~AND VISION~~ evaluation services is established  
36 by the department. ~~Such THESE~~ services shall be administered to all children  
37 as early as possible, but in no event later than the first year of attendance  
38 in any public or private education program, or residential facility for  
39 handicapped children, and thereafter as circumstances permit until the child  
40 has attained ~~the age of~~ sixteen years ~~OF AGE~~ or is no longer enrolled in a  
41 public or private education program.

42       B. The program of hearing ~~AND VISION~~ evaluation services for children  
43 in a public education program shall be administered by the department with  
44 the aid of the department of education.

1        Sec. 5. Section 36-899.02, Arizona Revised Statutes, is amended to  
2 read:

3            **36-899.02. Powers of the department; limitations**

4        A. The department ~~may~~, in administering the program of hearing **AND**  
5 **VISION** evaluation services, **MAY**:

6            1. Provide consulting services, establish or supplement hearing  
7 evaluation services **AND VISION EVALUATION SERVICES** in local health  
8 departments, public or private education programs or other community  
9 agencies.

10          2. Provide for the training of personnel to administer hearing  
11 screening evaluations **AND VISION SCREENING EVALUATIONS**.

12          3. Delegate powers and duties to other state agencies, county and  
13 local health departments, county and local boards of education or boards of  
14 trustees of private education programs or other community agencies to develop  
15 and maintain periodic hearing evaluation services **AND VISION EVALUATION**  
16 **SERVICES**.

17          4. Provide services by contractual arrangement for the development and  
18 maintenance of periodic hearing evaluation services **AND VISION EVALUATION**  
19 **SERVICES**.

20          5. Accept reports of hearing evaluation **AND VISION EVALUATION** from  
21 qualified medical or other professional specialists employed by parents or  
22 guardians for hearing evaluation **AND VISION EVALUATION** when ~~such~~ reports are  
23 submitted to the department.

24          B. The department shall not replace any qualified existing service.

25        Sec. 6. Section 36-899.03, Arizona Revised Statutes, is amended to  
26 read:

27            **36-899.03. Rules**

28        The director shall ~~develop~~ **ADOPT** rules ~~and regulations~~ governing  
29 standards, procedures, techniques and criteria for conducting and  
30 administering hearing evaluation services **AND VISION EVALUATION SERVICES**.

31        Sec. 7. Section 36-899.04, Arizona Revised Statutes, is amended to  
32 read:

33            **36-899.04. Right of parent or guardian to refuse test**

34        ~~No~~ A child ~~shall be~~ **IS NOT** required to submit to any test required by  
35 this chapter if a parent or guardian of the child objects and submits a  
36 statement of ~~such~~ objection to the agency administering ~~such~~ hearing  
37 evaluation services **OR VISION EVALUATION SERVICES**.